

4700

Sector 4/5

BOX: MISSING PARTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ralf HAFFERBECK et al.

DOCKET NO: P00,1277

SERIAL NO: 09/826,357

GROUP NO: Unknown

DATE originally FILED: June 14, 2000

EXAMINER: Unknown

INVENTION: **ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK**Assistant Commissioner for Patents,
Washington, D.C. 20231**RECEIVED**

AUG 29 2001

OFFICE OF PETITIONS

**SUBMITTAL OF EXECUTED DECLARATION with
NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION
filed under 37 CFR 1.53(b)**

Sir:

Applicant herewith submits an executed Declaration to complete the requirements of filing an application in the U.S. Patent Office. This application has received a **NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION filed under 37 CFR 1.53(b)**. This application was originally filed on **June 14, 2000** and was given the U.S. Serial No. **09/826,357**. A check for the statutory fee in the amount of **\$130.00** is submitted herewith.

Applicants have attached a copy of the Petition to Consider Correspondence filed which clearly indicates that 2 pages of drawings, including Figures 1-3 were, in fact, filed with the originally filed application. Applicants respectfully request that these drawings be accorded the filing date indicated in the event of a favorable response to the petition. A check in the amount of **\$20.00** is enclosed to complete

the basic filing fee.

Respectfully submitted,

Mark Bergner (Reg. No. 45,877)

Mark Bergner
SCHIFF HARDIN & WAITE
PATENT DEPARTMENT
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6473
(312) 258-5779
Attorneys for Applicant
CUSTOMER NUMBER 26574

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on AUGUST 13, 2001

Mark Bergner
Attorney for Applicant

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HON. COMMISSIONER OF PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR:

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

Ralf Haferbeck et al

APPLICANT

May 11, 2001

MAILING DATE

M Bergner

Petition to Consider Correspondence
filed in the U.S. PTO under
37 CFR 1.10 or in the alternative,
under 37 CFR 1.183 (in duplicate,
check \$130.00. (copies of everything
previously sent)

TYPE OF DOCUMENT(S)

REFERENCE NUMBER

P00,1277

SCHIFF HARDIN & WAITE

SCHIFF HARDIN & WAITE

Check Date: 05/11/01

2502

INVOICE DATE	DESCRIPTION	INVOICE NUMBER	AMOUNT
05/11/01	OMMISSIONER OF PATENTS AND TR- PETITION TO THE COMMISSIONER TO CONSIDER CORRESPONDENCE FILED- P00.1277- MB	05/11/2001H	130.00
Total			130.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX DAC

PETITION TO CONSIDER CORRESPONDENCE FILED IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE UNDER 37 CFR 1.10
OR IN THE ALTERNATIVE
UNDER 37 CFR 1.183

APPLICANT: Ralf HAFERBECK et al. DOCKET NO: P00,1277
SERIAL NO.: ART UNIT:
FILED: EXAMINER:
TITLE: ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK

Commissioner of Patents and Trademarks,
Washington, D.C. 20231

Dear Sir:

Applicants file this petition pursuant to 37 CFR 1.10(e) or, in the alternative,
under 37 CFR 1.183.

Statement of Facts

The above-identified (and attached) utility patent application was originally
filed with the United States Patent and Trademark Office on June 14, 2000 as
evidenced by the attached copy of the Express Mail Label Number
EL568799959US, and as further evidenced by the attached copy of the United
States Postal Service Tracking Confirmation showing delivery on June 15, 2000.

After the associated postcard had not been returned in a reasonable time,
Applicants contacted the OIPE for a status inquiry—the OIPE stated that Applicants
should resubmit all papers, including evidence that the application had been
properly mailed on the date alleged using Express Mail.

Applicants complied and resubmitted all documents on November 28, 2000.
These papers were also lost. A third (hand) delivery of these documents resulted in
a successful receipt of a serial number and a filing date. However, the filing date
accorded the application was the date of the third submission, April 5, 2001.

Applicants submit with this petition:

1. A copy of the Express Mail mailing label used to submit the original
application;
2. The originally deposited papers that constitute the correspondence
showing the Express Mail number on them;
3. A USPS tracking confirmation showing a pick-up on June 14, 2000,
and delivery on June 15, 2000; and

4. The petition fee indicated under 1.17(h) required by 37 CFR 1.183.

The original deposit of the correspondence and the copies of the correspondence contained herein are identical. The copy of the Express Mail mailing label and the official notation entered by the USPS are true copies.

Applicants note that this petition was not filed immediately after an awareness that the Office had no evidence of receipt of the correspondence due to the instructions given by the OIPE during the status check of the pending application. Applicants thus petition in the alternative under 37 CFR 1.183, and include the petition fee set forth in 1.17(h). Applicants request, however, that this fee be refunded as the error in losing the submitted documents lies with the U.S. Patent and Trademark Office.

APPLICANT HEREBY PETITIONS THAT:

- 1) THE APPLICATION SUBMITTED WITH THIS PETITION BE CONSIDERED AS FILED IN THE OFFICE ON THE USPS DEPOSIT DATE OF JUNE 14, 2000, OR IN THE ALTERNATIVE;
- 2) THE FILING DATE OF THE PRESENT APPLICATION ON FILE, WHICH IS IDENTICAL TO THE APPLICATION SUBMITTED WITH THIS PETITION, BE CHANGED TO JUNE 14, 2000.

Applicants believe that all requirements have been met with this petition, and respectfully request that the petition be granted.

It is believed that the included fee is adequate for this petition; however, if the Commissioner finds that an additional fee is due, the Commissioner is authorized to charge any such fees to account no. 50-1519.

Respectfully submitted,

Mark Bergner (Reg. No. 45,877)
Mark Bergner
SCHIFF HARDIN & WAITE
PATENT DEPARTMENT
6600 Sears Tower
Chicago, Illinois 60606-6473
(312) 258-5779
Attorney for Applicants
Customer Number 26574

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 11, 2001

Mark Bergner
Attorney for Applicants

[Home](#)**TRACK/CONFIRM****delivery status**

You entered EL568799959US

Your item was delivered at 11:00 am on June 15 in WASHINGTON DC 20231.

Here is what happened earlier:

- June 15 9:43 am ARRIVAL AT UNIT 20096
- June 14 7:15 pm ENROUTE CHICAGO IL 60607
- June 14 4:12 pm ACCEPT OR PICKUP CHICAGO IL 60606

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Express Mail # EL 843728478 US dated April 4, 2001

HON. COMMISSIONER OF PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231 P00,1277

SIR:

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

copy of 1st sub. of duplicate filing;
Appt.of assoc.pwr.of Attorney; change
of address; Ex.Mail Tracking & Delivery

Ralf Haferbeck et al

CONFIRMATION OF DOCUMENT(S) Ex.Mail form

dated 06/14/00; form for filing under

Attorney's sig.; copy of spec. & drawing

cert.of mailing dated 06/14/00; UNSIGNED

April 4, 2001

DECLARATION, COPY OF CHECK receipt;

MAILING DATE

Utility Patent App.Transmittal form;

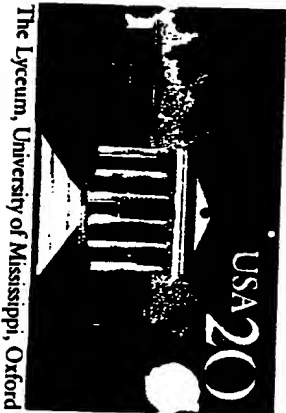
M. Bergner

Postcards; Second Submission of dupl.

SCHIFF HARDIN & WAITE filing; Ck\$690.00

J1033 U.S. PTO
09/826357
06/14/00

~~J1033 U.S. PTO
09/826357
04/08/01~~



Patent Prosecution Manager
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Y30
[Barcode]

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

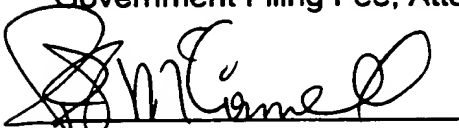
COPY

"Express Mail" Mailing Label Number **EL 568799959US**

Date of Deposit: June 14, 2000

I hereby certify that the following is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Proposed Patent Application for RALF HAFERBECK and STEFAN SCHNEEBERGER entitled "ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK", consisting of specification, claims, 2 sheets of informal drawings, and Government Filing Fee, Attorney Docket No. P00,1277



Signature of person
mailing application

RECEIVED

AUG 29 2001

OFFICE OF PETITIONS

Name of person mailing
application

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A PROFESSIONAL CORPORATION
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D-80801 MUNICH, GERMANY
49-89-3840720

June 14, 2000

Hon. Assistant Commissioner for Patents
Washington D.C. 20231

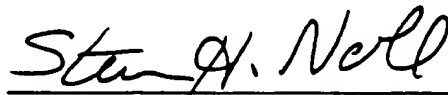
Re: Proposed Patent Application for RALF HAFERBECK and STEFAN
SCHNEEBERGER entitled "ATM SWITCHING EQUIPMENT HAVING A
SWITCHING NETWORK", Attorney Docket No. P00,1277

S I R:

Under the provisions of 37 CFR § 1.41 (c), I am filing the attached application with 4 claims, 2 sheets of informal drawings and filing fee on behalf of RALF HAFERBECK and STEFAN SCHNEEBERGER and request that the application papers be assigned a serial number and filing date.

I request that the application be assigned a Serial No. and Filing Date pursuant to the provisions of 37 C.F.R. § 1.53(b) and 37 C.F.R. § 1.53(f).

Respectfully submitted,



Steven H. Noll (Reg. No. 28,982)
Attorney for Applicant